

*See Attachment*

11  
10/10/01  
*[Signature]*

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ROBERT LEON BUCKNER,  
Petitioner

:

:

vs.

:

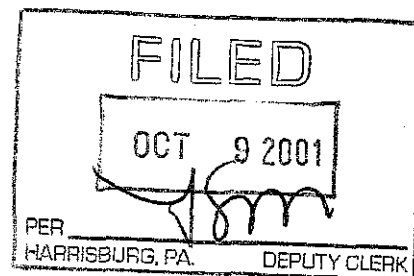
CIVIL ACTION NO. 1:CV-01-1264

:

DONALD ROMINE, Warden,  
Respondent

:

ORDER



THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:

The Petitioner filed this pro se petition for a writ of habeas corpus seeking credit on his federal sentence for time served on a state sentence. By memorandum and order, dated September 7, 2001, we required the Bureau of Prisons to exercise its discretion to decide whether the Petitioner was entitled to a nunc pro tunc designation of the state prison as the place of confinement of his federal sentence in accord with the factors mentioned in Barden v. Keohane, 921 F.2d 476 (3d Cir. 1991).

By a "notice to the court" filed on September 27, 2001, the Respondent has submitted the agency's response to our order. After examination of the agency's action we conclude that it complies with Barden and that the petition should thus be denied.

Accordingly, this 9th day of October, 2001, it is ordered that:

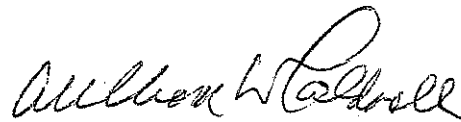
Certified from the record

Date 10/9/01

Mary E. D'Andrea, Clerk

Per Ann Michael  
Deputy Clerk

1. The petition for a writ of habeas corpus under 28 U.S.C. § 2241 is denied.
2. The Clerk of Court shall close this file.



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William W. Caldwell  
United States District Judge

UNITED STATES DISTRICT COURT  
FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

\* \* MAILING CERTIFICATE OF CLERK \* \*

October 9, 2001

Re: 1:01-cv-01264 Buckner v. Romine

True and correct copies of the attached were mailed by the clerk  
to the following:

Robert Leon Buckner  
USP-LEW2  
Federal Prison Camp  
33001-037  
P.O. Box 2000, Unit 1  
Lewisburg, PA 17837-2000

Matthew E. Haggerty, Esq.  
Assistant U. S. Attorney  
316 Federal Building  
240 West Third Street  
Williamsport, PA

cc:

Judge	( <input checked="" type="checkbox"/> )	( <input checked="" type="checkbox"/> ) Pro Se Law Clerk
Magistrate Judge	( )	( ) INS
U.S. Marshal	( )	( ) Jury Clerk
Probation	( )	
U.S. Attorney	( )	
Atty. for Deft.	( )	
Defendant	( )	
Warden	( )	
Bureau of Prisons	( )	
Ct Reporter	( )	
Ctroom Deputy	( )	
Orig-Security	( <input checked="" type="checkbox"/> )	
Federal Public Defender	( )	
Summons Issued	( )	with N/C attached to complt. and served by: U.S. Marshal ( ) Pltf's Attorney ( )
Standard Order 93-5	( )	
Order to Show Cause	( )	with Petition attached & mailed certified mail to: US Atty Gen ( ) PA Atty Gen ( ) DA of County ( ) Respondents ( )
Bankruptcy Court	( )	
Other _____	( )	

MARY E. D'ANDREA, Clerk

DATE: 10/9/01

BY: asm  
Deputy Clerk